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San Diego, California 92121  
Telephone (858) 362-3152

Attorneys for Plaintiff JENS ERIK SORENSEN,  
as Trustee of SORENSEN RESEARCH AND  
DEVELOPMENT TRUST

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

JENS ERIK SORENSEN, as Trustee of ) Case No. 06-cv-1572 BTM (CAB)  
SORENSEN RESEARCH AND )  
DEVELOPMENT TRUST, )  
Plaintiff ) **NOTICE OF MOTION AND PLAINTIFF'S**  
v. ) **MOTION TO CONSOLIDATE CASES**  
THE BLACK & DECKER CORPORATION; )  
BLACK & DECKER, INC.; BLACK & )  
DECKER (US), INC.; PORTER-CABLE ) Date: May 30, 2008  
CORPORATION; VECTOR PRODUCTS, ) Time: 11:00 a.m.  
INC.; PHILLIPS PLASTICS CORPORATION; ) Courtroom: 15, Fifth Floor  
HI-TECH PLASTICS INC.; B&D HOLDINGS, ) Hon. Barry Ted Moskowitz  
LLC; AND DOES 1 THROUGH 1000, )  
Defendants. ) *NO ORAL ARGUMENTS UNLESS*  
 ) *REQUESTED BY COURT*  

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JENS ERIK SORENSEN, as Trustee of )  
SORENSEN RESEARCH AND ) Case No. 07-CV-2121  
DEVELOPMENT TRUST, )  
Plaintiff, )  
v. )  
 )

1 GIANT INTERNATIONAL (USA) LTD., a )  
2 Delaware corporation, and DOES 1-10, )  
3 Defendants. )  
4 )  
5 and related counterclaims. )  
6 )  
7 JENS ERIK SORENSEN, as Trustee of )  
8 SORENSEN RESEARCH AND ) Case No. 07cv2277  
9 DEVELOPMENT TRUST, )  
10 )  
11 Plaintiff, )  
12 v. )  
13 )  
14 ESSEPLAST (USA) NC, INC., a Delaware )  
15 corporation, and DOES 1-100, )  
16 )  
17 Defendants. )  
18 and related counterclaims )  
19 JENS ERIK SORENSEN, as Trustee of )  
20 SORENSEN RESEARCH AND ) Case No. 07cv2278  
21 DEVELOPMENT TRUST, )  
22 )  
23 Plaintiff, )  
24 v. )  
25 )  
26 HELEN OF TROY TEXAS CORPORATION; )  
27 OXO INTERNATIONAL LTD.; )  
28 and DOES 1 – 100, )  
29 )  
30 Defendants. )  
31 )  
32 JENS ERIK SORENSEN, as Trustee of )  
33 SORENSEN RESEARCH AND ) Case No. 07cv2321  
34 DEVELOPMENT TRUST, )  
35 )  
36 Plaintiff, )  
37 v. )  
38 )  
39 ENERGIZER HOLDINGS INC, a Missouri )  
40 corporation; EVEREADY BATTERY )  
41 COMPANY, INC.; and DOES 1 – 100, )  
42 )  
43 Defendants. )  
44 )  
45 and related counterclaims. )  
46 JENS ERIK SORENSEN, as Trustee of )  
47 SORENSEN RESEARCH AND ) Case No. 08cv0025  
48 DEVELOPMENT TRUST, )  
49 )

1 v. Plaintiff )  
2 )  
3 )  
4 EMERSON ELECTRIC CO., a Missouri corporation; ONE WORLD TECHNOLOGIES, INC., a Delaware corporation; RIDGE TOOL COMPANY, an Ohio corporation; RIDGID, INC., a Delaware corporation; and DOES 1 – 100 Defendants. )  
5 )  
6 )  
7 and related counterclaims )  
8 )  
9 JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST, ) Case No. 08cv0060  
10 )  
11 )  
12 Plaintiff )  
13 v. )  
14 )  
15 RYOBI TECHNOLOGIES, INC., a Delaware corporation; TECHTRONIC INDUSTRIES NORTH AMERICA, INC., a Delaware corporation; and DOES 1 – 100, )  
16 )  
17 Defendants. )  
18 )  
19 JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST, ) Case No. 08cv0070  
20 )  
21 )  
22 Plaintiff )  
23 v. )  
24 )  
25 Senco PRODUCTS, INC., an Ohio corporation; and DOES 1 – 100, )  
26 )  
27 )  
28 Defendants. )  
29 )  
30 JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST, ) Case No. 08cv0134  
31 )  
32 )  
33 Plaintiff )  
34 v. )  
35 )  
36 INFORMATICS, INC., a Texas Corporation; INFORMATICS HOLDINGS, INC., a Delaware Corporation; DATALOGIC SCANNING, INC. )  
37 )  
38 )

1 Corporation; DATALOGIC SCANNING, INC., )  
2 a Delaware Corporation; DATALOGIC )  
3 SCANNING HOLDINGS, INC., a New York )  
Corporation. )  
)  
)

4 Defendants.)

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5 JENS ERIK SORENSEN, as Trustee of )  
SORENSEN RESEARCH AND ) Case No. 08cv0135  
6 DEVELOPMENT TRUST, )  
)  
)

7 Plaintiff )

8 v. )  
)  
)

9 SANYO NORTH AMERICA CORPORATION, )  
a Delaware Corporation; and DOES 1 – 100, )  
)  
)

10 Defendants.)

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11 JENS ERIK SORENSEN, as Trustee of )  
SORENSEN RESEARCH AND ) Case No. 08cv0136  
12 DEVELOPMENT TRUST, )  
)  
)

13 Plaintiff )

14 v. )  
)  
)

15 MOTOROLA, INC., a Delaware Corporation; )  
and DOES 1 – 100, )  
)

16 Defendants.)

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17 JENS ERIK SORENSEN, as Trustee of )  
SORENSEN RESEARCH AND ) Case No. 08cv0231  
18 DEVELOPMENT TRUST, )  
)

19 Plaintiff )

20 v. )  
)  
)

21 CTT TOOLS, INC., a California Corporation; )  
and DOES 1 – 100, )  
)

22 Defendants.)

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23 JENS ERIK SORENSEN, as Trustee of )  
SORENSEN RESEARCH AND ) Case No. 08cv0232  
24 DEVELOPMENT TRUST, )  
)

25 Plaintiff )

26 v. )  
)  
)

27 ALLTRADE TOOLS, LLC., a California )  
Corporation; and DOES 1 – 100 )  
)

1 Corporation; and DOES 1 – 100, )  
2 Defendants. )  
3 JENS ERIK SORENSEN, as Trustee of )  
4 SORENSEN RESEARCH AND ) Case No. 08cv0233  
5 DEVELOPMENT TRUST, )  
6 Plaintiff )  
7 v. )  
8 GLOBAL MACHINERY COMPANY, an )  
9 Australian company; GMCA PTY. LTD., an )  
10 Australian company; TRAPONE )  
11 CORPORATION PTY. LTD., an Australian )  
12 company; and DOES 1 – 100, )  
13 JENS ERIK SORENSEN, as Trustee of )  
14 SORENSEN RESEARCH AND ) Case No. 08cv0234  
15 DEVELOPMENT TRUST, )  
16 Plaintiff )  
17 v. )  
18 EMISSIVE ENERGY CORP., a Delaware )  
19 Corporation; and DOES 1 – 100, )  
20 Defendants. )  
21 JENS ERIK SORENSEN, as Trustee of )  
22 SORENSEN RESEARCH AND ) Case No. 08cv0304  
23 DEVELOPMENT TRUST, )  
24 Plaintiff )  
25 v. )  
26 METABO CORPORATION, a Delaware )  
27 Corporation; METABOWERKE GMBH, a )  
28 German Corporation; and DOES 1 – 100, )  
Defendants. )  
JENS ERIK SORENSEN, as Trustee of )  
SORENSEN RESEARCH AND ) Case No. 08cv0305  
DEVELOPMENT TRUST, )  
Plaintiff )  
v. )  
RALLY MANUFACTURING, INC., a Florida )  
~ . . . . . )

1 Corporation; and DOES 1 – 100, )  
2 Defendants. )  
3 JENS ERIK SORENSEN, as Trustee of )  
4 SORENSEN RESEARCH AND ) Case No. 08cv0306  
5 DEVELOPMENT TRUST, )  
6 Plaintiff )  
7 v. )  
8 SUNBEAM PRODUCTS, INC., a Delaware )  
9 Corporation; and DOES 1 – 100, )  
10 Defendants. )  
11 JENS ERIK SORENSEN, as Trustee of )  
12 SORENSEN RESEARCH AND ) Case No. 08cv0307  
13 DEVELOPMENT TRUST, )  
14 Plaintiff )  
15 v. )  
16 STAR ASIA, U.S.A., LLC, a Washington )  
17 Corporation; and DOES 1 – 100, )  
18 Defendants. )  
19 JENS ERIK SORENSEN, as Trustee of )  
20 SORENSEN RESEARCH AND ) Case No. 08cv0308  
21 DEVELOPMENT TRUST, )  
22 Plaintiff )  
23 v. )  
24 LOGITECH INC., a California Corporation; and )  
25 DOES 1 – 100, )  
26 Defendants. )  
27 JENS ERIK SORENSEN, as Trustee of )  
28 SORENSEN RESEARCH AND ) Case No. 08cv0309  
DEVELOPMENT TRUST, )  
Plaintiff )  
v. )  
CENTRAL PURCHASING, LLC, a California )  
Corporation; and DOES 1 – 100, )  
)

Defendants. )  
)  
JENS ERIK SORENSEN, as Trustee of )  
SORENSEN RESEARCH AND ) Case No. 08cv0411  
DEVELOPMENT TRUST, )  
)  
Plaintiff )  
)  
v. )  
)  
KYOCERA INTERNATIONAL, INC., a )  
California Corporation; KYOCERA WIRELESS )  
CORP., a California Corporation; and DOES 1 – )  
100, )  
)  
Defendants. )  
)  
JENS ERIK SORENSEN, as Trustee of )  
SORENSEN RESEARCH AND )  
DEVELOPMENT TRUST, ) Case No. 08cv0559  
)  
Plaintiff )  
)  
v. )  
)  
DMS HOLDINGS, INC. d.b.a. MABIS )  
HEALTHCARE and DURO-MED )  
INDUSTRIES, a a Delaware Corporation; and )  
DOES 1 – 100, )  
)  
Defendants. )  
)  
)

**TO ALL PARTIES AND THEIR COUNSEL OF RECORD**

PLEASE TAKE NOTICE that on May 30, 2008 at 11:00 a.m. or as soon thereafter as this matter may be heard before the Honorable Barry Ted Moskowitz, Plaintiff Jens Erik Sorensen, as trustee of Sorensen Research & Development Trust, will and do, moves this Court for an order consolidating the above-captioned cases for all purposes pursuant to Rule 42 of the Federal Rules of Civil Procedure.

This motion is made on the grounds that these actions involve overlapping

1 issues of law and fact and consolidation of these cases will promote efficiency.

2 A list of all named defendants in each case<sup>1</sup>, including identification of those  
 3 who have appeared, and the names of their respective attorneys of record, are as  
 4 follows:

<i>Defendants</i>	<i>Appeared?</i>	<i>Attorney(s) of Record</i>
The Black & Decker Corporation Black & Decker Inc. Black & Decker (U.S.) Inc. Porter-Cable Corporation Vector Products, Inc. B&D Holdings LLC	Yes	Raymond P. Niro, Jr. Dina Hayes Gregory P. Casimer Robert A. Conley Niro, Scavone, Haller & Niro 181 W. Madison St., Ste. 4600 Chicago, IL 60602  Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121
Phillips Plastics Corporation Hi-Tech Plastics Inc.	Yes	Kenneth S. Klein Foley & Lardner LLP 402 W. Broadway, Suite 2100 San Diego, CA 92101-3542  Robert L. Binder Foley & Lardner LLP 777 East Wisconsin Avenue Milwaukee, WI 53202
		Richard L. Schwaab Pavan K. Agarwal C. Edward Polk, Jr. Foley & Lardner LLP

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27           <sup>1</sup> Plaintiff Jens Erik Sorensen as Trustee of Sorensen Research and Development  
 28 Trust is represented by attorneys J. Michael Kaler and Melody A. Kramer in every case,  
       and also by Patricia A. Shackelford in the Black & Decker case.

1			3000 K Street, N.W. Suite 500 Washington, DC 20007
2	Giant International (USA) Ltd.	Yes	Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121
3			Dale Lischer Elizabeth G. Borland Kerri A. Hochgesang Smith, Gambrell & Russell, LLP Promenade II, Suite 3100 1230 Peachtree St., N.E. Atlanta, GA 30309
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12			
13	Esseplast USA (NC) Inc.	Yes	Alan A. Limbach Gregory J. Lundell Elizabeth Day Vincent S Lam Erik R. Fuehrer DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303
14			
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17			
18	Helen of Troy Texas Corporation	Yes	Erik B. Von Ziepel Seyfarth Shaw LLP 2029 Century Park East, Suite 3300 Los Angeles, CA 90067
19			
20	OXO International LTD		
21	Energizer Holdings Inc.	Yes	Jill Zimmerman Anthony I. Fenwick David Lisson Veronica C. Abreu Davis Polk & Wardwell 1600 El Camino Real Menlo Park, CA 94025
22			
23	Eveready Battery Company, Inc.		
24			
25			
26			
27	Emerson Electric Co.	Yes	Roger G. Perkins, Esq Angela Kim, Esq. MORRIS POLICH & PURDY LLP
28	Ridge Tool Company		

1	Ridgid, Inc.		501 West Broadway, Suite 500 San Diego, California 92101
2			Orlando F. Cabanday HENNELLY & GROSSFELD LLP 4640 Admiralty Way, Suite 850 Marina del Rey, CA 90292
3			Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611
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11	One World Technologies, Inc.	Yes	Roger G. Perkins, Esq Angela Kim, Esq. MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101
12			Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611
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20	Ryobi Technologies, Inc.	Yes	Roger G. Perkins, Esq MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101
21	Techtronic Industries North America, Inc.		Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611
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28	Senco Products, Inc.	Yes	Roger G. Perkins, Esq

1			MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101
2			Angela Kim MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101
3			Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611
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11	Informatics, Inc.	Yes	James H. Shalek Proskauer Rose LLP 1585 Broadway, New York, NY 10036
12	Informatics Holdings, Inc.		
13	Datalogic Scanning, Inc.		
14	Datalogic Scanning Holdings, Inc.		Jonathan E. Rich Proskauer Rose LLP 2049 Century Park East, 32 <sup>nd</sup> Floor Los Angeles, CA 90067
15			
16			
17	Sanyo North America Corporation	Yes	Douglas Carsten Debra D. Nye Foley & Lardner LLP 11250 El Camino Real, Suit 200 San Diego, California 92130 Telephone: (858) 847-6700
18			
19			
20			
21	Motorola, Inc.	Yes	Rachel M. Capoccia Hogan & Hartson L.L.P. 1999 Avenue of the Stars, Suite 1400 Los Angeles, California 90067
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24			
25			Erik J. Lobenfeld Hogan & Hartson LLP 875 Third Avenue New York, NY 10022
26			
27			
28	CTT Tools, Inc.	Yes	Eliot Teitelbaum

1		Koorennny & Teitelbaum, LLP 11911 San Vicente Blvd. Suite 265 Los Angeles, CA 90049
2	Alltrade Tools, LLC.	No
3	Global Machinery Company  GMCA Pty.  Trapone Corporation Pty. Ltd.	Yes  Thomas W. Ferrel HIGGS, FLETCHER & MACK LLP 401 West "A" Street, Suite 2600 San Diego, CA 92101-7913  Mark G. Kachigian Cassandra L. Wilkinson HEAD, JOHNSON & KACHIGIAN, P.C. 228 West 17th Place Tulsa, Oklahoma 74119
4	Emissive Energy Corp.	Yes  Jeff E. Scott GREENBERG TRAURIG, LLP 2450 Colorado Avenue, Suite 400E Santa Monica, California 90404
5	Metabo Corporation  Metabowerke GMBH	Yes  Jeffrey D. Lewin Sullivan, Hill, Lewin, Rez & Engel 550 West "C" Street, Suite 1500 San Diego, CA 92101  Daniel J. Bourque Bourque & Associates Intellectual Property Attorneys 835 Hanover Street Suite 301 Manchester, NH 03104  Arnold Rosenblatt Cook Little Rosenblatt & Manson PLLC 650 Elm Street Manchester, NH 03101
6	Rally Manufacturing, Inc.	Yes  Gary M. Anderson FULWIDER PATTON LLP Howard Hughes Center 6060 Center Drive, Tenth Floor
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		Los Angeles, CA 90045
1	Sunbeam Products, Inc.	Yes  Sang N. Dang ORION LAW GROUP 3 Hutton Centre Drive, Suite 850 Santa Ana, CA 92707  George L. Fountain ORION LAW GROUP 3 Hutton Centre Drive, Suite 850 Santa Ana, CA 92707  Kening Li, PH.D. PINSENT MASONS C/o BAKER DONELSON BEARMAN CALDWELL AND BERKOWITZ 555 11 <sup>th</sup> St., NW, Washington, DC 20004  Vy H. Vu ORION LAW GROUP 3 Hutton Centre Drive, Suite 850 Santa Ana, CA 92707
2	Star Asia, U.S.A., LLC.	Yes  Richard A. Clegg Seltzer Caplan McMahon Vitek 750 B St., Suite 2100 San Diego, CA 92101
3	Logitech, Inc.	Yes  Richard S. Swope ORRICK, HERRINGTON & SUTCLIFFE LLP 1000 Marsh Road Menlo Park, CA 94025
4	Central Purchasing, LLC	Yes  Mark J. Rosenberg Sills Cummis & Gross P.C. One Rockefeller Plaza New York, New York 10020  Susan E. Basinger Higgs Fletcher & Mack LLP 401 West "A" Street, Suite 2600
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		San Diego, California 92101	
1	Kyocera International, Inc.	Yes	Anthony J. Dain Victor M. Felix PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 530 B Street, Suite 2100 San Diego, California 92101
2	Kyocera Wireless Corp.		
3	DMS Holdings, Inc. dba Mabis Healthcare and Duro-Med Industries	No	
4			
5			
6			
7			
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9			
10	Dated this Wednesday, April 09, 2008.		
11			
12		Respectfully submitted,	
13			
14	JENS ERIK SORENSEN, as Trustee of SORENSEN		
15	RESEARCH AND DEVELOPMENT TRUST, Plaintiff		
16	/s/ Melody A. Kramer		
17	J. Michael Kaler		
18	Melody A. Kramer		
19	Patricia A. Shackelford		
20	Attorneys for Plaintiff		
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Respectfully submitted,

JENS ERIK SORENSEN, as Trustee of SORENSEN  
RESEARCH AND DEVELOPMENT TRUST, Plaintiff

/s/ Melody A. Kramer  
J. Michael Kaler  
Melody A. Kramer  
Patricia A. Shackelford  
Attorneys for Plaintiff

## **PROOF OF SERVICE**

I, Melody A. Kramer declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121. I am a member of the State Bar of California and the Bar of this Court.

On April 9, 2008, I served on the parties to this action the following documents:

**NOTICE OF MOTION AND PLAINTIFF'S MOTION TO CONSOLIDATE CASES**

PERSON(S) SERVED	PARTY(IES) SERVED	METHOD OF SERVICE
Raymond P. Niro, Jr. Dina Hayes Gregory P. Casimer Robert A. Conley Niro, Scavone, Haller & Niro 181 W. Madison St., Ste. 4600 Chicago, IL 60602 312/236-3137 FAX rnirojr@nshn.com hayes@nshn.com casimer@nshn.com rconley@nshn.com	Defendants Black & Decker Corp.; Black & Decker, Inc.; Black & Decker (U.S.), Inc.; Vector Products, Inc.; and B&D Holdings, LLC ("B&D Defendants")	Email--Pleadings Filed with the Court
Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121 agoddard@jaczkogoddard.com cjaczko@jaczkogoddard.com	Defendant Hi-Tech Plastics, Inc. and Phillips Plastics	Email--Pleadings Filed with the Court
Kenneth S. Klein Foley & Lardner LLP 402 W. Broadway, Suite 2100 San Diego, CA 92101-3542 619/234-3510 FAX kklein@foley.com	Defendants Hi-Tech & Phillips	Email--Pleadings Filed with the Court
Robert L. Binder Foley & Lardner LLP	Defendants Hi-Tech & Phillips	Email--Pleadings Filed with the Court

1	777 East Wisconsin Avenue Milwaukee, WI 53202 414/297-4900 FAX rbinder@foley.com		
2	Richard L. Schwaab Pavan K. Agarwal C. Edward Polk, Jr. Foley & Lardner LLP 3000 K Street, N.W. Suite 500 Washington, DC 20007 202/672-5399 FAX rschwaab@foley.com pagarwal@foley.com epolk@foley.com	Defendants Hi-Tech & Phillips	Email--Pleadings Filed with the Court
3			
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5			
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11	Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121 agoddard@jaczkogoddard.com cjaczko@jaczkogoddard.com 858-225-3500 FAX	Defendant Giant International (USA) Ltd.	Email – Pleadings Filed with the Court
12			
13			
14			
15			
16			
17	Dale Lischer dlicher@sglaw.com Elizabeth G. Borland egborland@sglaw.com Kerri A. Hochgesang khochgesang@sglaw.com Smith, Gambrell & Russell, LLP Promenade II, Suite 3100 1230 Peachtree St., N.E. Atlanta, GA 30309 404-685-6945 FAX	Defendant Giant International (USA) Ltd.	Email – Pleadings Filed with the Court
18			
19			
20			
21			
22			
23			
24	Alan A. Limbach DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303-2214 alan.limbach@dlapiper.com	Esseplast (USA) NC, Inc.	Email -Pleadings Filed with the Court via CM/ECF
25			
26			
27	Gregory J. Lundell DLA Piper USA LLC	Esseplast (USA) NC, Inc	Email--Pleadings Filed with the Court via
28			

1	2000 University Avenue East Palo Alto, CA 94303-2214 <a href="mailto:greg.lundell@dlapiper.com">greg.lundell@dlapiper.com</a>	Esseplast (USA) NC, Inc	CM/ECF
2	Elizabeth Day DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303-2214 <a href="mailto:elizabeth.day@dlapiper.com">elizabeth.day@dlapiper.com</a>	Esseplast (USA) NC, Inc	Email--Pleadings Filed with the Court via CM/ECF
3	Vincent S Lam DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303-2214 <a href="mailto:vincent.lam@dlapiper.com">vincent.lam@dlapiper.com</a>	Esseplast (USA) NC, Inc	Email--Pleadings Filed with the Court via CM/ECF
4	Erik R. Fuehrer DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303-2214 <a href="mailto:erik.fuehrer@dlapiper.com">erik.fuehrer@dlapiper.com</a>	Esseplast (USA) NC, Inc	Email--Pleadings Filed with the Court via CM/ECF
5	Erik B. Von Ziepel Seyfarth Shaw LLP 2029 Century Park East, Suite 3300 Los Angeles, CA 90067 <a href="mailto:evonzeipel@seyfarth.com">evonzeipel@seyfarth.com</a>	Helen of Troy Texas Corporation; Oxo International Ltd.	Email--Pleadings Filed with the Court via CM/ECF
6	Jill Zimmerman Davis Polk & Wardwell 1600 El Camino Real Menlo Park, CA 94025 <a href="mailto:jill.zimmerman@dpw.com">jill.zimmerman@dpw.com</a>	Energizer Holdings Inc. Eveready Battery Company, Inc.	Email--Pleadings Filed with the Court via CM/ECF
7	Anthony I. Fenwick Davis Polk & Wardwell 1600 El Camino Real Menlo Park, CA 94025 <a href="mailto:anthony.fewick@dpw.com">anthony.fewick@dpw.com</a>	Energizer Holdings Inc. Eveready Battery Company, Inc.	Email--Pleadings Filed with the Court via CM/ECF
8	David Lisson Davis Polk & Wardwell 1600 El Camino Real Menlo Park, CA 94025 <a href="mailto:david.lisson@dpw.com">david.lisson@dpw.com</a>	Energizer Holdings Inc. Eveready Battery Company, Inc.	Email--Pleadings Filed with the Court via CM/ECF
9	Veronica C. Abreu Davis Polk & Wardwell 1600 El Camino Real	Energizer Holdings Inc. Eveready Battery Company, Inc.	Email--Pleadings Filed with the Court via CM/ECF

1	Menlo Park, CA 94025 <a href="mailto:veronica.abreu@dpw.com">veronica.abreu@dpw.com</a>		
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3	Orlando F. Cabanday HENNELLY & GROSSFELD LLP 4640 Admiralty Way, Suite 850 Marina del Rey, CA 90292 Telephone: (310) 305-2100 Facsimile: (310) 305-2116 <a href="mailto:ocabanday@hglaw.com">ocabanday@hglaw.com</a>	Emerson Electric Co., Ridge Tool Co., and Ridgid, Inc.	Email - Pleadings Filed with the Court via ECF
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3	C/o Agent for Process of Service DMS Holdings, Inc. The Corporation Trust Company Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801	DMS Holdings	Federal Express

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11            (Personal Service) I caused to be personally served in a sealed envelope hand-delivered  
 12            to the office of counsel during regular business hours.

13            (Federal Express) I deposited or caused to be deposited today with Federal Express in a  
 14            sealed envelope containing a true copy of the foregoing documents with fees fully  
 15            prepaid addressed to the above noted addressee for overnight delivery.

16            (Facsimile) I caused a true copy of the foregoing documents to be transmitted by  
 17            facsimile machine to the above noted addressees. The facsimile transmissions were  
 18            reported as complete and without error.

19            (Email) I emailed a true copy of the foregoing documents to an email address  
 20            represented to be the correct email address for the above noted addressee.

21            (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed  
 22            this document via the CM/ECF system for the United States District Court for the  
 23            Southern District of California.

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 I declare that the foregoing is true and correct, and that this declaration was executed on  
 Wednesday, April 09, 2008, in San Diego, California.

/s/ Melody A. Kramer

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Melody A. Kramer